

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE <u>12</u> July (.07.2004)
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPN. NO. (if known): Not Yet Assigned 10/1501295
INTERNATIONAL APPLICATION NO.: PCT/EP03/00242	INTERNATIONAL FILING DATE: 13 January 2003 (13.01.2003)	PRIORITY DATE CLAIMED: 15 January 2002 (15.01.2002) EP 22 March 2002 (22.03.2002) EP
TITLE OF INVENTION: PANTOPRAZOLE CYCLODEXTRIN INCLUSION COMPLEXES		
APPLICANT(S) FOR DO/EO/US: GIORDANO, Ferdinando; MARZOCCHI, Lucia; MOYANO, Jose, Ramon.; ROSSI, Alessandra		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 USC 371(f) The submission must include items(5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):</p> <ul style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) <p>6. <input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) as provided in the PCT Request.</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</p> <p>20. <input checked="" type="checkbox"/> Other items or information: APPLICATION DATA SHEET; TRANSMITTAL FORM; FEE CALCULATION; INTERNATIONAL PUBLICATION WO 03/059393 A1 WITH INTERNATIONAL PUBLICATION DATE OF 24 July 2003 WITH SEARCH REPORT WHICH CONSISTS OF 13 PAGES INCLUDING 1 COVER SHEET CONTAINING THE ABSTRACT; 11 PAGES TEXTUAL SPECIFICATION, 1 PAGE OF 10 CLAIMS, 0 SHEETS DRAWINGS; PRELIMINARY AMENDMENT WITH ATTACHMENTS A & B TO BE EXAMINED; PCT REQUEST WITH INVENTORS' SIGNATURES; PCT/IPEA/409 INTERNATIONAL PRELIMINARY EXAMINATION REPORT; PCT/IB/304 TRANSMITTAL OF PRIORITY DOCUMENT/PCT/IB/308 NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION TO THE DESIGNATED OFFICES; PCT/IB/332 INFORMATION CONCERNING ELECTED OFFICES NOTIFIED OF THEIR ELECTION. </p>		

ATTORNEY'S DOCKET NO: 26177

U.S. APPLICATION NO. (if known, not yet assigned) 107501295	INTERNATIONAL APPLICATION NO. PCT/EP03/00242	DATE 12 July 2004 (.07.2004)
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17. <input checked="" type="checkbox"/> The following fees are submitted:	<u>CALCULATIONS</u>	<u>PTO USE ONLY</u>
Basic National Fee (37 CFR 1.492(a)(1)-(5): Search Report has been prepared by the EPO or JPO:.....\$920.00	\$ 920.00	
International preliminary examination fee paid to USPTO (37 CFR 1.482).....\$730.00		
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$770.00		
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$1080.00		
International preliminary examination fee (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) IPEA-U.S.....\$ 100.00		
ENTER APPROPRIATE BASIC FEE AMOUNT =	\$ 920.00	

Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(e)).	\$	
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CLAIMS	NO. FILED	NO. EXTRA	RATE		
TOTAL	14 -20=	0	X \$ 18.00	\$.00	
INDEPENDENT	2 - 3=	0	X \$ 84.00	\$.00	
Multiple dependent claims(s) (if applicable)			+ \$280.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 920.00	
Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).				\$ 0.00	
SUBTOTAL =				\$.00	
Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(f)). +				\$ 0.00	
TOTAL NATIONAL FEE =				\$ 920.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 0.00	
TOTAL FEES ENCLOSED =				\$ 920.00	
			Amount to be: refunded charged	\$ \$	

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U.S. APPLICATION NO.
(if known) not yet assigned

107501295

INTERNATIONAL APPLICATION NO.

PCT/EP03/00242

DATE: 12 July 2004 (.07.2004)

- a. One check in the amount of \$ 920.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. 14-0112 in the amount of \$ _____ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0112.
- d. Fees are to be charged to a credit card _____. WARNING: Information on this form may become public _____. Credit Card Information should not be included on this form. _____. Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

GIORDANO et al.

International Application No. PCT/EP03/00242

Serial No. NOT YET ASSIGNED

International Filing Date: 13 January 2002 (13.01.2002)

Filed: July_____, 2004

For: **PANTOPRAZOLE CYCLODEXTRIN INCLUSION COMPLEXES**

10/501295

DT04 Rec'd PCT/PTO 12 JUL 2004

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

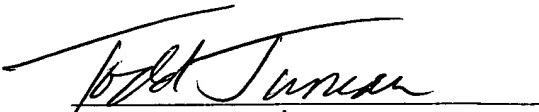
Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Application Data Sheet;
- (3) Transmittal Letter To U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371;
- (4) International Publication No: 03/059393 A1
International Publication Date: 24 July 2003
(24.07.2003) with Search Report which consists of 13 pages including:
1 cover sheet containing the Abstract,
11 pages Textual Specification,
1 pages of 10 claims,
0 sheets of Drawings;
- (5) **Preliminary Amendment with Attachment A & B to be examined;**
- (6) PCT Request with Inventors' signatures;
- (7) PCT/IPEA/409 International Preliminary Examination Report;
- (8) PCT/IB/304 Transmittal of Priority document;
- (9) PCT/IB/308 Notice informing the Applicant of the Communication of the International Application to the Designated Offices;
- (10) PCT/IB/332 Information concerning elected Offices Notified of Their Election;
- (11) Check No. 21320 \$ 920.00 for Government Filing Fee;
- (12) Postcard for early notification of serial number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:



Gary M. Nath
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Todd L. Juneau
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Customer No. 20529

Date: July 12, 2004

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